

Appln. No. 10/789,973

Attorney Docket No. 10543-076

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**II. Remarks**

In response to the Office Action mailed April 4, 2007, kindly enter the foregoing amendment and consider the following remarks. Pursuant to 37 CFR §1.112, Applicant(s) request reconsideration of each and every ground of rejection set forth in the Office Action.

The Office Action and the references cited therein have been carefully considered. In this Amendment, claim 11 has been amended. Thus claims 1-20 are pending and are at issue herein. In view of these amendments and the following remarks, favorable reconsideration of this application is requested.

**ALLOWABLE SUBJECT MATTER**

The Applicants gratefully acknowledge the indication of allowable subject matter. In particular, on page 5 of the Office Action, claims 6-8 and 17 were indicated as allowable if rewritten in independent form. At this time, the Applicants have not amended these claims into independent form as it is believed the independent claims from which they depend are in condition for allowance. Favorable consideration of the application is respectfully requested.

**CLAIM REJECTIONS UNDER 35 USC §102**

Claims 1-5, 9 and 10 stand rejected under 35 U.S.C. §102(b) as being anticipated by the Martindill reference (U.S. Patent No. 2,315,632). Claims 11-16 and 18-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by the Smith reference (U.S. Patent No. 1,808,121).

Independent claim 1 recites, among other things, a beam interposed between the pedal arm and the input rod, the beam pivotally connected to the pedal arm and rotatable relative thereto. The beam contacts a cam that has a cam profile shaped to adjust to the position of the beam, modifying the ratio of the output force to the input force of the mechanism.

The Office Action has identified strap bracket 49 as reading on the beam of claim 1. However, and as best seen in Figures 7 and 8, the strap bracket 49 is not pivotally connected to the pedal arm 48. For at least this reason, the Martindill

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reference does not disclose each and every limitation of the independent claim 1.

Additionally, the profile defined by surfaces 19-22 of cam lever 16 are structured and oriented relative to the input rod 43 to modify the ratio of the output travel of the input rod 43 relative to the input travel of the pedal arm 48. This is to quickly take up all clearance and spring in the mechanism as described in the first column of page 2 of the Martindill reference. However, the shape of surfaces 19-22 does not modify the ratio of the output force to the input force of the brake mechanism. The strap bracket 49 is fixed to the pedal arm 48 and fixed in relation to its pivot point. Since the surfaces 19-22 simply affect the ratio of input/output travel, an increased amount of input force is still required to move the roller 13 over the surfaces 19-22.

For all of these reasons, favorable reconsideration of independent claim 1, as well as its dependent claims, is respectfully requested.

Independent claim 11 recites, among other things, a pedal arm receiving an input force from an operator of the vehicle that is transmitted to the input rod as an output force for braking the motor vehicle. A beam is pivotally connected to the pedal arm at a first point, connected to the input rod at a second point, and contacts the cam at a third point along the beam.

On page 3 of the Office Action, clutch operating lever 12 has been cited as reading on the pedal arm. However, as described in the Smith reference, clutch operating lever 12 is simply used to adjust the position of the input rod 10 relative to the actual brake pedal arm 11 and its pivot bearing 13. As specifically recited at the end of column 2 of page 1 and into the first column of page 2 of the Smith reference, movement of the clutch operating lever 12 does not cause any serious movement of the input rod 10. Thus, the lever 12 does not provide an output force for braking the motor vehicle. For at least this reason, the Smith reference fails to disclose each and every limitation of the independent claim 11.

Page 3 of the Office Action also states that arm 17 reads on the beam and that arm 17 is pivotally connected to the pedal arm. However, the arm 17 is not pivotally connected to the brake applying lever 11.

For all of these reasons, favorable reconsideration of independent claim 11, as well as its dependent claims, is respectfully requested.

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It is respectfully asserted here that the amendment to claim 11 was not made for any reason related to patentability, and does not narrow independent claim 11. Rather, the amendment simply recites subject matter that was inherent to independent claim 11.

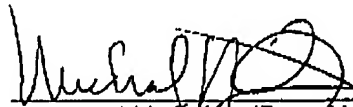
### CONCLUSION

In view of the preceding amendments and remarks, the Applicant(s) respectfully submit that the specification is in order and that all of the claims are now in condition for allowance. If the Examiner believes that personal contact would be advantageous to the disposition of this case, the Applicants respectfully request that the Examiner contact the Attorney of the Applicants at the earliest convenience of the Examiner.

Respectfully submitted,

July 5, 2007

Date



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Attorney/Agent for Applicant

MNS/alr

Attachment: None